

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES

LEGAL DIVISION

STAN STEPHENS, GOVERNOR

COGSWELL BUILDING



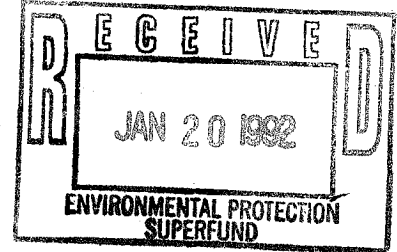
STATE OF MONTANA

FAX # (406) 444-2606

HELENA, MONTANA 59620

January 25, 1989

Mr. Don Ryan
Columbia Falls Aluminum Co.
P.O. Box 10
Columbia Falls, MT 59912



Re: Consent Decree, Judgment and Order

Dear Don:

In accordance with our discussion of January 24, 1989, I am forwarding a proposed Consent Decree, Judgment and Order, revised to include a mechanism for extending the specific deadlines in the compliance schedule.

On another point, after our telephone conversation, Harry Keltz pointed out that the Consent Decree I sent to you last week did not include a requirement that, during implementation of the Plan of Correction, the facility's existing pollution control equipment be operated at its maximum potential. This was evidently one of the terms discussed by and agreed to by you and Mr. Keltz and I have now included it in the Consent Decree being forwarded to you today.

Lastly, due to the passage of time since the original schedule was conceived, the dates set forth in the existing Consent Decree and Complaint no longer reflect a reasonable calendar sequence. Therefore, I am enclosing a Complaint and a Consent Decree, both revised to provide for 30 days (instead of 60) for CFAC to submit a Plan of Correction and have changed the completion date for Item (a) in the Schedule from February 15, 1989 to March 15, 1989. Mr. Keltz opinion was that these changes should not cause you any problem. However, please call me should they not be acceptable.

Thank you for your continued cooperation in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Frank C. Crowley".

Frank C. Crowley
Special Assistant
Attorney General

FCC:js

Encl.

cc: Jeff Chaffee, AQB

MC: JTB, LWS, TFP, AJC, KGR